

# Exhibit A

**DEFENDANT'S PROPOSED PRELIMINARY JURY INSTRUCTIONS**

This is a criminal case. It is brought in the name of the United States against Stephen M. Calk. The fact that the prosecution is brought in the name of the United States does not entitle the Government to any greater consideration than that accorded to Mr. Calk. All parties stand as equals here in court. Moreover, Mr. Calk is presumed innocent and the Government at all times bears the burden of proof beyond a reasonable doubt.

You must keep an open mind throughout this trial and consider all of the evidence as it presented to you. At this time, I am going to give you a very brief summary of the charges and relevant law. After you have heard all of the evidence, I will instruct you in greater detail on the law that you must apply to the facts as you find them. If there are any differences between these preliminary instructions and the final instructions at the end of trial, the final instructions will be controlling, meaning that those final instructions are the ones you must follow in your deliberations.

Mr. Calk is charged with two crimes: (1) financial institution bribery and (2) conspiracy to commit financial institution bribery. Each is a separate offense or crime. You must, therefore, consider each charge separately and you must return a separate verdict on each charge.

The first charge is financial institution bribery; the Government alleges that Mr. Calk, while the Chairman and CEO of The Federal Savings Bank and National Bancorp, corruptly solicited and received assistance in obtaining a volunteer position with the Donald J. Trump presidential campaign and a senior position with the then-incoming presidential administration, intending to be influenced and rewarded in connection with the extension of loans to Paul Manafort. Among the matters you will be asked to consider at the end of the trial is

whether the government has proven beyond a reasonable doubt that Mr. Calk sought or received a bribe from Mr. Manafort in exchange for causing the bank to extend loans to Mr. Manafort. You will also be asked to evaluate Mr. Calk's intent – in particular whether the government has proven beyond a reasonable doubt that he intended to be influenced by the alleged bribe and acted "corruptly," that is, with a bad or evil state of mind, knowing he was doing something wrong. And you will be asked to consider, among other things, whether the alleged bribe received from Mr. Manafort had a value of more than \$1,000.

The second charge is a conspiracy charge; the Government alleges that from around July 2016, until around January 2017, Mr. Calk conspired to commit financial institution bribery, meaning that he agreed with one or more other people to commit the first charge. A conspiracy is an agreement of two or more persons to join together to accomplish some unlawful purpose. Among the matters you will be asked to consider at the end of the trial is whether the government has proven beyond a reasonable doubt that Mr. Calk knowingly and willfully joined a conspiracy to commit financial institution bribery.

Again, I will provide you at the end of the case with far more detailed instructions regarding these matters and other important legal principles. I provide you with this preliminary summary merely to give you some guideposts at the outset.